

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE EASTERN DISTRICT OF CALIFORNIA

7 NOEL VALVIDIA,

8 Petitioner,

No. CIV-05-0416 ALA HC

9 vs.

10 JILL BROWN, et al.,

11 Respondents.

ORDER

12 _____/
13 The parties are directed to file, on or before December 31, 2007, simultaneous
14 briefs consisting of no more than 7 pages, discussing the following issues:

15 (1) What is the applicability, if any, of *Irons v. Carey*, 479 F.3d 658 (9th Cir.
16 2007) to the question whether Petitioner is entitled to habeas relief on his claim that
17 denial of his parole applications violated due process?

18 (2) Is a District Court required to grant habeas relief on the basis of the law of the
19 Ninth Circuit when that law does not represent “clearly established Federal law, as
20 determined by the Supreme Court of the United States,” 28 U.S.C. § 2254(d)(1)?

21 /////

22 DATED: December 18, 2007

23 /s/ Arthur L. Alarcón
24 UNITED STATES CIRCUIT JUDGE
25 Sitting by Designation
26